

MONTANA CHEMICAL DEPENDENCY CENTER POLICY AND PROCEDURE MANUAL

Policy Subject: Transmission Privacy	
Policy Number: CUP 03	Standards/Statutes: ARM 37.27.120
Effective Date: 01/01/02	Page 1 of 2

PURPOSE:

To provide a foundation to guarantee an appropriate level of privacy when electronic communications are used.

POLICY:

This policy is limited to those activities associated with the "transmission" of information using the State's telecommunications network. Information transmission is facilitated through local area networks (LANs), wide area networks (WANs) and the voice network. Such transmissions may include, but not be limited to, electronic documents, electronic files, electronic mail, and video, images and voice communications.

PROCEDURE:

I. Transmissions on the State's telecommunications network may only be intercepted (including copying and/or recording) and/or monitored (including viewing and/or listening) when such interception is in the normal course of employment responsibilities, or is regarded as necessary to providing the State's telecommunications services, or is protecting the rights and property of the State of Montana.

Transmissions may be intercepted and/or monitored to conduct mechanical checks, service quality control checks, and maintenance of service quality, system security, and software license monitoring.

II. No telephone conversation may be recorded without the knowledge of all parties to the conversation as provided for in 45-8-213, MCA. No person may intentionally disclose information from intercepted and/or monitored transmissions on the State's telecommunications network except to the person for whom it is intended, to a person reasonably involved in the process of transmitting the information to the person for whom it is intended, or to another person lawfully entitled to it.

III. No person may use information from intercepted and/or monitored transmissions on the State's telecommunications network for any purpose other than supporting and maintaining the State's

IV. If any person is discovered misusing information from intercepted and/or monitored transmissions on the State's telecommunications network, they shall be subject to disciplinary action appropriate to the misuse, up to and including termination as administered under policy 3-0130, Discipline Handling, Montana Operations Manual and possible civil or criminal penalties.

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